



The Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Chambers

Tribal Council Regular Meeting Agenda
Thursday, June 28, 2018
9:00 a.m.

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

1:30 p.m. Anishinaabemowin by Wasson (as available)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. Motion to Adopt the Agenda of June 28, 2018
5. Motion to dedicate this meeting in honor of the following citizen who have walked on:
Charles Henry Sessions and Roy Leo Miron.
6. Review and Approve Minutes of June 7, 2018
7. **9:15 a.m.** Introduction of new Tribal Government Employees
8. **9:30 a.m.** Tribal Historic Preservation Officer Wes Andrews-Unanticipated Discovery Plan and U.S. Customs Power of Attorney
 - a. Motion to acknowledge receipt of Native American Graves Preservation and Repatriation and Tribal Historic Preservation Officer Wesley Andrews 3rd Quarter NAGPRA-THPO program report.
 - b. Motion to acknowledge receipt of Tribal Historic Preservation Office and Native American Graves Preservation and Repatriation Officer Wesley Andrews Report on an Unanticipated Discovery Policy.
 - c. Motion to approve the Unanticipated Discovery Policy.
 - d. Motion to authorize and approve Tribal Historic Preservation Office-Native American Graves Protection and Repatriation Officer Wes Andrews to sign and deliver the U.S. Customs Power of Attorney-Designation as Export Forwarding Agent form in order to repatriate Odawa remains from Sweden on August 8, 2018.

- e. Presentation of an award of achievement to Melissa Wiatrolik for the completion of a one-year Historic Preservation Training Program.

- f.

9. Executive Oversight Report

Motion to accept the verbal and written Executive Oversight Report for June 28, 2018.

10. Tribal Council Officer Reports

a) Legislative Leader Report

Motion to accept the written report from Legislative Leader Fred Harrington Jr. for June 28, 2018.

Motion to acknowledge receipt of the Articles of Operation and Exhibit A and B for the _____ Construction, LLC., that is an agreement between the Odawa Construction Administration Holding, Corporation, Beaver 1 and the _____ Construction, LLC.

Motion to approve of the Articles of Organization for the _____ Construction, a Limited Liability Company.

Motion to approve and authorize the posting for letters of interest to serve on the Odawa Construction Administration Holding Corporation Board of Directors

Motion to acknowledge receipt of the Tribal Training and Development Program for the _____ Construction, LLC.

Motion to adopt Tribal Resolution Appropriation of Funds for the Odawa Construction Administration Holding Corporation (OCAHC) in the amount of \$102,500.00.

b) Secretary Report

i. Documents Delivered to the Executive

-Tribal Resolution Authorizing First Amendment to Amended and Restated Wells Fargo Loan Agreement. Delivered to the Executive for signature on 06/11/18- Executive signed 06/12/18.

-Tribal Resolution to Allocate Unrestricted Cash to Short-Term Investment Accounts in the amount of \$5,000,000.00. Delivered to the Executive for signature on 06/11/18- Executive signed 06/14/18.

*-Waganakising Odawak Statute Odawa Construction Administration Holding Corporation. Delivered to the Executive for signature on 06/11/18-**PENDING SIGNATURE** (due back date is 07/11/18)*

*-Waganakising Odawak Statute Tribal Website Statute. Delivered to the Executive for signature on 06/15/18-**PENDING SIGNATURE** (due back date is 07/17/18)*

ii. Vetoes: (a vote of Tribal Council to override a veto shall occur within

90-days of the veto): none

(Note: Executive Veto of Tribal Resolution Appropriation of Funds for the Fiscal Year 2019 Operating Budgets is currently with the Appropriations and Finance Committee.)

iii. Phone Polls passed by Tribal Council:

*-06/12/18 Motion to authorize and approve Tribal Resolution- Opposition to the Restructuring of the Bureau of Indian Affairs Regional Office and Local Agency.
Phone Poll Vote: Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Comments: none
Motion carried.*

*-06/12/18 Motion to authorize and approve Tribal Council travel to the US Department of Interior's Consultation on the reorganization of Bureau of Indian Affairs offices on June 19, 2018, at the Four Winds Casino, New Buffalo, Michigan.
Phone Poll Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent
Comments: none
Motion carried.*

Motion to accept Secretary Kiogima's verbal and written report as provided on the agenda for June 28, 2018.

c. Treasurer Report

i. Appropriations and Finance Committee
-Last Meeting: June 12, 2018

(Motions made at Appropriation and Finance Committee Meeting)

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 062818-01 Request for Funding from the Administration for Children and Families, Title IV-B of the Social Security Act, FY 2019 Title IV-B Continuation Funding.
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Authorizing the Planning, Zoning and Building Department to Carryover Funds.
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the Amount of \$149,600.00 for the purpose of Food and Utility Allowance.
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

*-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Appropriation of Funds for the Odawa Construction Administration Holding Corporation (OCAHC) in the amount of \$102,500.00.
Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

-Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to adopt Tribal Resolution Appropriation of Funds to

Enjinaaknegeng (Legal) Department for Legal Services provided by Michigan Indian Legal Services in the amount of \$25,000.

Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Motion made by Councilor McNamara and supported Councilor Wemigwase by to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the Amount of \$50,000 for the purpose of retaining an Anishinaabemowin Fluent Speaker.

Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

-Next Meeting: Tuesday, July 17, 2018 at 9:00 a.m. in the Council Chambers.

ii. Phone Polls passed by Appropriations and Finance Committee:

-06/21/18 Motion to recommend to Tribal Council to approve Certified Motion # 062118-02 Acceptance of Funds as a sub-grantee from the Inter-Tribal Council of Michigan Substance Abuse and Mental Health Services Administration (SAMHSA) Medication Assisted Treatment – Prescription Drug and Opioid Addiction (MAT-PDOA)

Comments: none

Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried.

-06/21/18 Motion to recommend to Tribal Council to approve Certified Motion # 062818-03 Authorization of the Inter-Tribal Council of Michigan, Inc. to Administer the BIA Child Welfare Assistance Program under PL 93-638, FY 2019 Child Welfare Assistance Program/Child Care Fund.

Comments: none

Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried.

06/21/18 Motion to recommend Tribal Council to authorize Treasurer Reyes and Legislative Leader Fred Harrington Jr. to sign the Merrill Lynch check request to transfer funds from the Little Traverse Bay Bands of Odawa Indians investment account for the Great American Fidelity/Crime Insurance Policy Renewal for Tribal Council in the amount of \$15,046 and made payable to broker representative Cottingham and Butler, PO Box 449, Dubuque, IA 52004-0449, and submit same to Merrill Lynch (Two signatures are required).

Comments: none

Vote: 3 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried.

Motion to accept Treasurer Reyes' Appropriation and Finance Committee verbal and written report as provided on the agenda for June 28, 2018.

iii. Land and Reservation Committee

-Last Meeting: May 11, 2018

-The June 1, 2018 meeting was cancelled due to Lack of Agenda.

(Motions made at Land and Reservation Committee Meeting were presented at the May 17, 2018 Tribal Council Meeting)

-Next Meeting: July 6, 2018 at 9:00 a.m. in the Council Chambers.

iv. Phone Polls passed by the Land and Reservation Committee:

-One phone poll was conducted on June 7, 2018 and was presented at the Tribal Council Meeting held this day.

Motion to accept the Land and Reservation Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chairperson for June 28, 2018.

11. Tribal Council Member Reports:

- a. Secretary Kiogima-Attendance of the Gaming Enterprise Board meeting.

Motion to accept Secretary Kiogima's verbal report as presented on June 28, 2018.

- b. Councilor Wemigwase-

Motion to accept Councilor Wemigwase's verbal report as presented on June 28, 2018.

- c. Councilor Shananaquet-Tribal Council Phone Poll Policy, Gaming Authority Statute, and Gaming Enterprise Board

Motion to accept Councilor Shananaquet's verbal report as presented on June 28, 2018.

Motion to approve the Tribal Council Phone Poll Policy.

- d. Councilor Proctor-Opposition to Zero-Tolerance Immigration.

Motion to accept Councilor Proctor's verbal report as presented on June 28, 2018.

Motion to adopt Tribal Resolution Opposition to the "Zero-Tolerance" Immigration Policy of Separating Families.

- e. Councilor McNamara-Health Care concerns and Attendance of the Gaming Enterprise Board meeting.

Motion to accept Councilor McNamara's verbal report as presented on June 28, 2018.

12. Legislative Office Reports:

- a. Office of Finance and Revenue-

Motion to accept Sr Financial Analyst Rachel Cope's verbal and written report as presented on June 28, 2018.

Motion to recommend Tribal Council to authorize Treasurer Reyes and Legislative Leader Fred Harrington Jr. to sign the Merrill Lynch check request to transfer funds from Little Traverse Bay Bands of Odawa Indians investment account for the Great American Fidelity/Crime Insurance Policy Renewal for Tribal Council in the amount of \$15,046 and made payable to broker representative Cottingham and Butler, PO Box 449, Dubuque, IA 52004-0449, and submit same to Merrill Lynch (Two signatures are required).

b. Legislative Services Attorney- June 2018 Report

Motion to accept Legislative Services Attorney Donna Budnick's verbal and written report as presented on June 28, 2018.

c. General Counsel-

Motion to accept General Counsel Jim Bransky's verbal report as presented on June 28, 2017.

Motion to approve Memorandum of Understanding Contract Agreement between Michigan Indian Legal Services (MILS) and Little Traverse Bay Bands Odawa Enjinaaknegeng (Legal) Department that provides for legal services to Tribal and Enterprise employee for sexual harassment and discrimination claims and authorize the Executive to sign the LTBB Employee Assistance Agreement.

d. Legislative Office Manager-

Motion to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on June 28, 2018.

13. Corporate Charters and/or Board Updates:

- a. Traditional Tribal Burial Board
- b. Odawa Economic Development Management, Inc.
- c. Ziibimijwang, Inc.
- d. Gaming Enterprise Board

14. Tribal Council Action Items:

a. Motions

- i. Motion to approve a Special Work Session to be held on Tuesday, July 24, 2018 at 9:00 a.m. to review pending legislation.
- ii. Motion to re-post LEG-223 Odawa Construction Corporate Charter.
- iii. Motion to approve Certified Motion # 062818-01 Request for Funding from the Administration for Children and Families, Title IV-B of the Social Security Act, FY 2019 Title IV-B Continuation Funding.

- iv. Motion to approve Certified Motion # 062818-02 Acceptance of Funds as a sub-grantee from the Inter-Tribal Council of Michigan Substance Abuse and Mental Health Services Administration (SAMHSA), *Medication Assisted Treatment - Prescription Drug and Opioid Addiction (MAT-PDOA)*.
- v. Motion to approve Certified Motion #062818-03 Authorization of the Inter-Tribal Council of Michigan, Inc. to Administer the BIA Child Welfare Assistance Program under PL-638, FY2019 Child Welfare Assistance Program/Child Care Fund.
- vi. Motion to acknowledge receipt and approve the Building Codes Adoption Regulations REG-Waganakising Odawak Statute 2009-007-061418-001.
- vii. Motion to post Amendment to Waganakising Odawak Statute # 2008-011 Fair Employment to the Legislative Calendar in the Odawa Register.
- viii. Motion to approve Citizenship List A - Eligible for Citizenship dated June 19, 2018 for a total of 2.
- ix. Motion to approved Citizen List B - Declination (Ineligible) dated June 19, 2018 for a total of 2.
- x. Motion to post Waganakising Odawak Statute Michelle Chingwa Education Assistance Act (MCEA) to the Legislative Calendar in the Odawa Register.
- xi. Motion to post Waganakising Odawak Statute Gaming Authority Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Shananaquet.

b. Roll Call Votes:

- i. Motion to adopt Tribal Resolution Authorizing the Planning, Zoning and Building Department to Carryover Funds.
- ii. Motion to adopt Tribal Resolution Supplemental Funding in the Amount of \$50,000 for the purpose of retaining an Anishinaabemowin Fluent Speaker.
- iii. Motion to adopt Tribal Resolution Supplemental Funding in the Amount of \$149,600.00 for the purpose of Food and Utility Allowance.
- iv. Motion to adopt Tribal Resolution Appropriation of Funds to Enjinaaknegeng (Legal) Department for Legal Services provided by Michigan Indian Legal Services in the amount of \$25,000.00.
- v. Motion to adopt Tribal Resolution Support for Michigan Indian Legal Services' Bureau of Justice Assistance Grant.

15. Other Items of Business:

a.

Adjournment

Next Scheduled Meeting
Thursday, July 12, 2018 at 9:00 a.m.